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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Registration No. 2,684,138: PAVERCAT
Registered on the Principal Register on February 4, 2003, in International Class 7

CATERPILLAR INC.,

Petitioner,

v.

PAVE TECH, INC.,

Respondent.

75/904,827

Cancellation No. 41,776

03-01-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #66

CONSENTED MOTION TO EXTEND DISCOVERY AND TESTIMONY PERIODS

Petitioner hereby moves to extend the discovery period and all subsequent testimony periods for thirty (30) days in the above proceeding as follows:

Discovery Period to close:

May 5, 2004

30-day testimony period for party in
position of Plaintiff to close:

August 5, 2004

30-day testimony period for party in
position of defendant to close:

October 4, 2004

15-day rebuttal testimony period for
plaintiff to close:

November 17, 2004

The parties are responding to written discovery requests. This additional time is necessary to exchange documents, prepare for the depositions, and complete discovery before proceeding with the testimony period.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington Virginia 22202-3514 on February 25, 2004.

Deanna R. Perry

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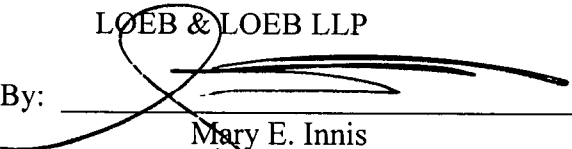
The parties respectfully submit that this constitutes good cause for the requested extension. Respondent's attorney, Michael J. O'Loughlin, consented to this extension via telephone on February 25, 2004.

Respectfully submitted,

LOEB & LOEB LLP

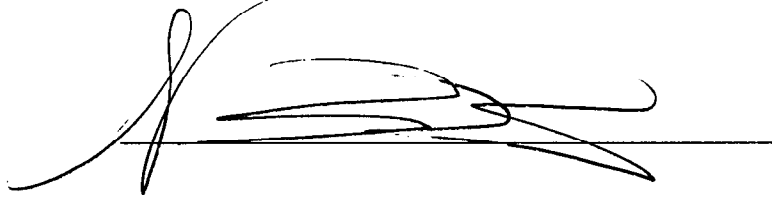
Date: February 25, 2004

By: _____


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CERTIFICATE OF SERVICE

I, Nerissa Coyle McGinn, hereby certify that I caused a copy of the foregoing
CONSENTED MOTION TO EXTEND DISCOVERY AND TESTIMONY PERIODS to
Michael J. O'Loughlin, Micheal J. O'Loughlin & Associates, P.A., 400 South 4th Street, 1012
Grain Exchange Building, Minneapolis, Minnesota 55415 by first class mail, postage prepaid on
February 25, 2004.

A handwritten signature in black ink, appearing to read "Nerissa Coyle McGinn", is written over a horizontal line.